



CAMBRIDGE HISTORICAL COMMISSION

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March 28, 2007

To: Robert Healy, City Manager

From: Charles Sullivan, Executive Director

Re: City Council request for New Avon Hill NCD Survey

On January 22, 2007, the City Council considered the recommendations of the Avon Hill Neighborhood Conservation District Boundary Study Committee and adopted a motion "that the City Manager be and hereby is requested to confer with the Executive Director of the Historical Commission on how to plan to update and poll residents could be implemented."

The Cambridge Historical Commission staff sent a survey to all 295 property owners in the district on February 22, 2007 and received 85 responses. This strong response rate of 28.8% exceeded the 19% return to the Study Committee's initial survey completed in January 2006.

The responses clearly supported the recommendations of the Study Committee with regard to maintaining the present boundaries and altering the Commission's jurisdiction and membership.

- A very strong majority of respondents – 81.2% - supported the goals of the district.
- A more than two-thirds majority of 69.4% agreed that "diminishing the boundaries of the Avon Hill NCD would weaken its ability to perform its mission," and 71.8% opposed "reducing the size of the district by allowing some or all of the petitioners to leave."
- The proposed changes in jurisdiction received positive votes, ranging from 57.7% for eliminating zoning-related determinations and non-binding determinations while strengthening reviews of destructive alterations, to 82.4% for changes in governance and membership, to 88.2% in favor of strengthening CHC oversight of the Avon Hill NCD Commission.

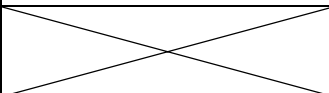
A copy of the survey form annotated to show the responses and a summary of the comments, suggestions and recommendations is attached.

Attachments

Results of an Opinion Survey Regarding the Findings and Recommendations of the Avon Hill Neighborhood Conservation District Boundary Study Committee and the Cambridge Historical Commission

On February 22, 2007, the following survey was mailed to 295 Avon Hill NCD property owners on the most recent assessors list, edited by CHC staff to include known address corrections and recent sales. The survey form was accompanied by the text of the Study Committee's findings and recommendations, and asked for any individual comments, suggestions and recommendations that a respondent might have. As of March 22, 85 surveys (28.8%) had been returned, including six surveys from the 18 petitioners for removal.

The Avon Hill Neighborhood Conservation District Boundary Study Committee made a number of findings and recommendations that are summarized as follows:

Findings and Recommendations of the Study Committee	Agree/Disagree
1. The overall goals of the Avon Hill NCD Commission are supported by the neighborhood at large.	81.2% Agree 9.4% Disagree 9.4% DK/NR/Other
2. Diminishing the boundaries of the Avon Hill NCD would weaken its ability to perform its mission.	69.4% Agree 16.5% Disagree 14.1% DK/NR/Other
3. The jurisdiction and operations of the Avon Hill NCD Commission should be reformed by:	
a. Changes in jurisdiction described in Recommendations 2-8, including eliminating zoning-related reviews and non-binding determinations while strengthening reviews of destructive alterations.	57.7% Agree 29.4% Disagree 13.0% DK/NR/Other
b. Changes in governance and appointment of new members to make the Commission more effective and accountable (Recommendations 10-12).	82.4% Agree 5.9% Disagree 11.8% DK/NR/Other
c. More effective monitoring of the operations of the Avon Hill NCD Commission by the Cambridge Historical Commission (Recommendations 13-16).	88.2% Agree 2.4% Disagree 9.4% DK/NR/Other

Now, we'd like to know your personal feelings about the Neighborhood Conservation District and the Raymond Street property owners' petition:

Do you support the goals of the Avon Hill Neighborhood Conservation District?	83.5% Yes 12.9% No 3.5% DK/NR/Other
Do you support reducing the size of the district by allowing some or all of the Raymond Street petitioners to leave?	22.4% Yes 71.8% No 5.9% DK/NR/Other
Are you among the 18 property owners who asked to be excluded from the NCD?	7.1% Yes 92.9% No

DK/NR/Other: don't know, no response, gave a response other than yes or no.

Recommendations of the Avon Hill NCD Study Committee, endorsed by the Cambridge Historical Commission

General Recommendation

Recommendation 1: The Committee unanimously recommends that Raymond Street should remain in the District, and that the problems that Raymond Street petitioners and others have encountered are better dealt with through the jurisdiction and governance changes recommended below.

Recommendations to the City Council – Amend the Avon Hill Order to effect the following Recommendations 2-8 with respect to elimination or change of review for alterations to non-National Register buildings

Recommendation 2: Clarify the general purpose and approach of the District by amending the preamble of the Avon Hill NCD Order.

Recommendation 3: Eliminate a provision of the Order requiring NCD review when a special permit or zoning variance is required.

Recommendation 4: Require binding review of aluminum or vinyl siding and aluminum, vinyl, or vinyl-clad windows where they currently do not exist outside as well as within the National Register portion of the District.

Recommendation 5: Require binding review for alterations that affect the building envelope, including altering, adding or removing bays, dormers, roof shapes and porches outside the National Register portion of the District.

Recommendation 6: Eliminate non-binding determinations and replace them with advisory administrative reviews by CHC staff.

Recommendation 7: Change the guideline regarding total lot coverage from 30% to 35% in the A-2 zone and 40% to 45% in the B and C-1 zones.

Recommendation 8: Add a conservation guideline for architectural features such as siding, trim and windows, clarifying that these features should generally be compatible with the architectural style of the building. Specifically state that vinyl fencing, vinyl siding, and vinyl windows should not be used.

Recommendation to the City Council – Amend the NCD Ordinance (Ch. 2.78, Article III)

Recommendation 9: Allow up to two additional Cambridge residents living outside the District to serve on the Commission (one as a member, one as an alternate), with preference given to those who have served on other NCD commissions.

Recommendations to the City Manager

Recommendation 10: Encourage residents of the District to nominate potential candidates for membership [to the Avon Hill Neighborhood Conservation District Commission].

Recommendation 11: Enforce the provision of the Ordinance that Commission members are limited to two consecutive terms of service. Allow former members to be considered for reappointment after one year of retirement.

Recommendation 12: Recommend to the City Manager that he appoint a new Commission of members and alternates who have not previously served.

Administrative Recommendations

Recommendation 13: Assign the Historical Commission clear responsibility for the oversight of NCDs. The Historical Commission should hold periodic joint meetings with the Avon Hill NCD Commission to review the operations of the District and report its findings to the City Manager and the City Council.

Recommendation 14: The Avon Hill NCD Commission should continue to use the hearing procedures recently established.

Recommendation 15: The Historical Commission should increase training of Commission members and should consider establishing a Code of Conduct for Commissioners.

Recommendation 16: The Historical Commission should consider increasing its public education efforts.

Recommendation for Possible Future Action

Recommendation 17: The Historical Commission should consider recommending that the City Council amend the NCD Ordinance so as to consolidate some of the city's smaller NCDs under one citywide NCD commission. Consolidation of the Avon Hill NCD with the proposed Lower Common NCD is not recommended.

Comments, Suggestions, and Recommendations:

Supportive

“Thanks to the Study Committee for providing a considered solution to this problem – and thanks to everyone for the attention that has been given to improving the functioning of the Avon Hill District.”

“Good survey!”

“Well done!”

“CHC did an outstanding job as to getting these issues resolved. Many thanks!”

“It would be very unfair to the rest of us to exclude Raymond Street.”

“I went before the commission/ncd and found them quite helpful.”

“We are relieved that Avon Hill NCD has rejected diminishing its boundaries. The increase in Cambridge Historical Commission involvement in training commission members and monitoring and reviewing AHNCD hearings are excellent suggestions. Very good survey!”

“I agree with the findings in general. I experienced (as an abutter) the extremely arbitrary rulings of the Avon Hill NCD Commission in its early years when aesthetics, rather than procedural or historical criteria were used. I think these problems have been substantially reduced but particularly agree with 3c [more effective monitoring] to avoid any continuation of what has been somewhat arbitrary (i.e., not statutory) findings and rulings of the NCDC.”

“Thank you. Your efforts are appreciated!”

“There are/have been remarks about the survey – and the limited usefulness of such a simple instrument which does not capture many complexities. But I think you’ve been masterful at all this – I have nothing but respect and admiration for all of you who are trying to preserve and simplify procedures meant to be in everyone’s best interest. Thank you for all your hard work!”

“I appreciate the time and effort given by the present commission members and hope that #12 is not taken as a rebuke. I support #10, but not 11 and 12.”

“It certainly sounds as if the Study Committee handled the problem quite well. Hopefully the apparent angst has subsided...”

“I agree completely keeping the Commission to monitor the Avon Hill neighborhood to avoid diminishing its boundaries.”

“I support the CHC. But I would have thought that the most important thing in ensuring historical integrity is to keep the neighborhood safe from fire hazards by shutting down illegal rentals, many of which are not supplied with safe cooking facilities and are in any case unsanctioned.”

Negative

"I have not attended public Avon Hill meetings but I have heard some very disturbing things from neighbors ... Most concerning is the tendency of the AHNCD to impose what seems to be arbitrary aesthetic "rules" ... I've also been disappointed by what I've heard to be weak oversight by the Cambridge Historical Commission."

"Commissioners should have limited terms so that they do not become entrenched and domineering and overly influential."

"I don't believe 2-8 go far enough in reforming Commission. Far fewer things should be subject to review. Commission is utterly arbitrary in my experience."

"Actual historic district that was delineated by Federal National Register is only area that can be binding review. Everything else should be non-binding ... The extraordinary increase in scope for binding review will increase potential abuse."

"This started out as a way to avoid 'backyard wall (sic)' after rent control was abandoned ... instead I think it became the 'architecture police'. It needs to go back to a way of having our neighborhood not be too dense, keep its architectural character, and be completely unbiased."

"You are all ridiculous, self-important, irrelevant and do not even come close to addressing the real needs of this community. Go away and find some meaningful public service."

"Tall, dense thick non-historical plantings crowd my house. The AHNCD is of no help."

"Disagreeable experiences at hearings."

"[A specified Avon Hill NCD commissioner] must be prevented from criminal trespass onto other's property under the guise of gathering information for the Avon Hill NCD [and] is a neighborhood menace. The Avon Hill NCD must be responsible for legal violations of its members/alternates and if it refuses to do so, it should be abolished."

"I think the Avon Hill NCD should be abolished. It favors wealthy and well-connected property owners who are the only ones able to navigate its labyrinthine procedures and policies."

"This overlay district is overkill, and adds needless bureaucracy. Some of the AHNCD decisions are capricious. Too often it has been a snobby 'taste police'. The Cambridge Historical Commission should govern only major projects and act as an educational and technical resource. ... It is hard enough trying to navigate the Cambridge zoning and building permit process as it exists!"

"Just because a building is old doesn't mean it is perfect. I urge the Commission to be imaginative and flexible in assessing proposed changes."

"Unfortunately over the years some AHNCD commissioners have acted as dictators and not as volunteer appointed advisors which only discouraged many homeowners from making improvements to their properties for fear of the complex, stressful, and, sometimes, they believe, unfair review process ... It's time this commission became historical and not hysterical!"

"All AHNCD should be nonbinding."

“I have lived in the district since inception and believe it has had a negative effect in that it creates a forum for neighbors to be pitted against one another. I believe the ill will created is not good, and the end result in terms of project review is not worth it! Ours is an expensive neighborhood in which good taste prevails. The only design controls should address issues of massing and density!”

Neutral

“Of course one feels that everyone else’s alterations should be monitored, but not one’s own, because of one’s own impeccable good taste!”

“It would be a shame if we lose Raymond Street only because of parking and garage and fence issues ... I would want to have off-street parking no matter what!”

“The Raymond Street issue has been divisive and I’m all for allowing them out so the NCD can move on – to do otherwise will allow a festering malaise. I am concerned they will never be happy and continue to take the focus off important issues.”

“I believe that given all that is facing our city, our nation, the globe in the 21st century in terms of environmental challenges and global warming that the Avon Hill NCD and Cambridge Historical need to be accommodating to changes that address energy efficiency, healthy materials, sustainable development including solar, non-toxic materials, etc.”

“While I support the NCD, I’m thankful my very visible changes were made before all decisions are made binding. The neighborhood has been overwhelmingly supportive of my changes, which would not be allowed now.”

“The AHNCD has not been as forceful as it should in restricting infill and over scale additions (per the original concerns that led to its establishment).”

“The City Council should pay attention to the issues and not play politics. The councilors need to be further educated on the issues.”

“I am appalled at the constant disappearance of garden/yard space in our neighborhood.”